United Nations S/2001/1311

Security Council

Distr.: General
13 December 2001
English
Original: French

Letter dated 27 December 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report from Djibouti, submitted pursuant to paragraph 6 of resolution 1373 (2001).

I should be grateful if you would arrange for this letter and its annex to be circulated as a document of the Security Council (see annex).

(*Signed*) Jeremy **Greenstock**
Chairman of the Counter-Terrorism Committee

02-20774 (E) 040302 040302

Annex

Letter dated 27 December 2001 from the Permanent Representative of Djibouti to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

On instructions from my Government, I have the honour to transmit to you herewith a letter from the Minister for Foreign Affairs and International Cooperation, H.E. Mr. Ali Abdi Farah, and the report of the Republic of Djibouti, in conformity with paragraph 6 of Security Council resolution 1373 (2001).

My Government remains available to provide any supplementary information that the Committee deems necessary.

(*Signed*) Roble **Olhaye**
Ambassador
Permanent Representative

Enclosure

Republic of Djibouti

National Counter-Terrorism Committee

National Counter-Terrorism Action Plan

December 2001

Presentation of the National Counter-Terrorism Action Plan

1. Foreword
2. Legal and judicial aspects of counter-terrorism
3. Counter-terrorism and national security
4. Combating money-laundering and the financing of terrorism
5. Communication strategy

Annex

Part I: Foreword

Terrorism is a threat to the security of people and property and to public order. For a long time, its true targets were largely the developed countries. Now, however, it has acquired a global reach; for this reason, the Republic of Djibouti, in the light of the tragedy suffered by the United States of America, must protect itself against this scourge.

The methods and means used by terrorists are essentially secret because the "success" of their actions depends on their suddenness and violence. Thus, they watch out for and invest areas in which the State has weaknesses or lacks means of coercion.

Vying with one another in ingenuity, they are employing multiple and ever more sophisticated resources to achieve their ends. There is thus a need to mobilize multiple resources to combat them, without giving way to panic. In the main, these resources must be centred on the prevention, control and suppression of terrorist acts, and cooperation with the international community.

Solving the problems linked to terrorism is primarily a political matter, in the sense that political action alone is capable of combating the human tragedies that foster terrorism and of providing durable solutions to them.

Suppression by the police can be effective only if it is backed up by unequivocal political will and a reliable system of prevention.

Thus, the day after the adoption by the United Nations Security Council of resolution 1373 (2001), the Djibouti Government, by presidential decree No. 2001-0193/PRE of 3 October 2001, established the National Counter-Terrorism Committee.

Under the leadership of the Ministry of Justice, the Committee is charged with considering the development and establishment of domestic counter-terrorism mechanisms and, to that end, has broad prerogatives with respect to the prevention and suppression of any terrorist act. The Committee is also responsible for ensuring respect for international commitments and adherence to international conventions and protocols concerning terrorism.

The Committee is divided into several subcommittees:

- The first is charged with defining the legal framework for combating terrorism (part II);
- The second is responsible for studying the resources necessary and the initiatives to be undertaken in the area of national security (part III);
- The third is required to develop a strategy for combating money-laundering and the financing of terrorism (part IV).

In order to promote the Government's efforts to combat terrorism, it has been decided to develop a dynamic communication strategy, in particular through the creation of a web site to group together all documents relating to the activities of the National Counter-Terrorism Committee (part V).

Part II: Legal and judicial aspects of counter-terrorism

1. Introduction

The subcommittee charged with studying the legal framework for combating terrorism is to consider and propose legal norms and judicial measures for the suppression of terrorist acts that are in step with the phenomenon's recent evolution throughout the world.

Its task is based on several principles:

- Condemning and combating terrorism in all its forms, whoever the perpetrators and whatever their motives;
- Showing that the fight against terrorism is an urgent necessity because public order and territorial integrity, even respect for human rights and fundamental freedoms depend on it;
- Demonstrating also that the State has sufficiently far-reaching means of coercion to deter or punish terrorist undertakings.

2. Objectives

The objectives of the legal and judicial action plan to combat terrorism are, first, to define a legal framework in conformity with international law and national sovereignty and, second, to put in place, at the level of the judiciary, coherent and effective law-enforcement mechanisms.

2.1 Immediate objectives

For the moment, the attention of the National Counter-Terrorism Committee is focused in two directions:

- With regard to the legal aspect: domestic and international texts must be harmonized with a view to creating modern legislation in step with current requirements in the area of terrorism;
- With regard to the judicial aspect: as a complement to the previous point, there is a need to establish law-enforcement institutions that are effective against terrorist activity.

2.1.1 Legal aspect

Regarding domestic law, the 1995 Penal Code severely punishes terrorism, which is dealt with in articles 167 to 171. Articles 167 and 168 characterize terrorism as "the desire to disturb [the peace] through intimidation and terror by blindly attacking the security of people and property". However, the Penal Code's definition of terrorism was deemed unsuitable by the members of the National Counter-Terrorism Committee, particularly in the light of the phenomenon's recent evolution.

As to international law, the Republic of Djibouti, in keeping with its sovereignty, must ratify all supranational provisions on counter-terrorism.

It has already participated, in October 2001, in the drafting and adoption of the Dakar Declaration against Terrorism. It has also signed and ratified the Arab Convention for the Suppression of Terrorism. Twelve other conventions have been recommended to it by the United Nations Secretariat, the European Union and the United States of America. After their ratification, all these texts will be incorporated in Djibouti's positive law and will thus help bring it up to date.

2.1.2 Judicial aspect

With regard to the judicial strategy, it is first necessary to designate the officials responsible for the suppression of terrorism. Under the Code of Penal Procedure, the public right of action is devolved upon the Government Prosecutor and the Prosecutor-General. For greater efficiency, all the actions taken within the framework of the National Counter-Terrorism Committee should be grouped together under the responsibility of the prosecutors, so as to create a single centre of impetus. Thus streamlined, judicial action to combat terrorism will present, from a domestic viewpoint, a simple and effective "master outline" and, where international cooperation is concerned, a single entity with which the fight against terrorism in Djibouti will be easily identified (following the example of Judge Bruguière in France).

2.2 Longer-term objectives

- To equip the legal arsenal with an anti-terrorism law providing mechanisms for cooperation among the various actors in the fight against terrorism. At the same time, this law must define the framework for international cooperation. It could be popularized through symposiums and other workshops;
- To create anti-terrorism sections in the Djibouti prosecutor's and examining magistrate's offices. These sections will consist of members of the judiciary who will receive training in terrorism issues so as to be able to categorize suspicious actions in legal terms by identifying the links with the criminal provisions in force.

3. Measures

- Updating of the definition of terrorism in the light of recent events, and revision of the Penal Code;
- From an international viewpoint, most of the measures entail bringing the positive law into line with the international legal order. Thus, the Republic of Djibouti has already signed eight international conventions in force, including most recently the Arab Convention for the Suppression of Terrorism, which has been signed and ratified, and the International Convention for the Suppression of the Financing of Terrorism, signed on 15 November 2001;
- In connection with the objectives of the judicial plan, there is a need to supplement the training of members of the judiciary with the study of specialized judgements in terrorist cases. Likewise, the specialized units of the criminal investigation police are to receive appropriate training in counter-terrorism. The same steps are being taken within the National Gendarmerie

(Research and Documentation Service), so as to enable it to conduct in a diligent manner inquiries in terrorist cases;

- Reform of the Criminal Court and introduction of a body for rendering verdicts in terrorist cases consisting solely of professional magistrates. Unlike offences under ordinary law, where verdicts are reached by a jury consisting of professional magistrates and jurors, terrorist cases must be tried exclusively by magistrates in order to ensure greater rigour;

- Signature and ratification of all the supranational conventions proposed by the international community (see annex).

4. Available resources

The human resources that can be mobilized immediately are:

- Members of the judiciary and officers of the criminal investigation police: having undergone solid legal and technical training, they will form the core of the judicial apparatus;

- Specialists in financial analysis from the Djibouti Central Bank could also intervene in the judicial process as experts.

5. Human and material needs

Additional training will be required for some members of the judiciary and officers of the criminal investigation police and basic training for others, including in terrorism issues. In order to meet this need, the following will be needed:

- Basic training: four members of the judiciary, namely, two judges and two Government prosecutors;

- Seminars in Djibouti and abroad: 10 members of the judiciary (five judges and five Government prosecutors);

- Training in techniques for investigating and tracking down terrorists: 10 officers each from the criminal investigation police and the National Gendarmerie;

- Four clerks of the court will also be trained to carry out the administrative work resulting from the creation of the anti-terrorist section;

- Equipping of two separate offices: one for the members of the judiciary and the clerks and the other for the officers of the criminal investigation police;

- Creation of an Internet site for the purpose of cooperation and communication with the rest of the world.

Part III: Counter-terrorism and national security

1. Introduction

The Republic of Djibouti is determined to contribute fully to counter-terrorism activities and, to that end, to mobilize all the means available to it to prevent and curb terrorist acts in its territory.

In order to achieve that, the subcommittee of the National Counter-Terrorism Committee responsible for security will, in particular, have to draft regulations for the effective combating and suppression of terrorist threats, both nationally and internationally.

From the point of view of security, counter-terrorism is based on a number of elements:

- Remedying the human, political and social crises on which terrorism feeds;
- Emphasizing that all-out opposition to terrorism is compatible with respect for human rights and fundamental freedoms;
- Responding in a manner that involves the judiciary and the police.

2. Objectives

The section of the counter-terrorism action plan relating to national security involves an effort to define, as accurately as possible, the practical measures to be taken to prevent and suppress terrorist activities both abroad and in the national territory.

2.1 Immediate objectives

To identify activities involving terrorism, given that terrorism is tending to diversify and become increasingly sophisticated and in view of the difficulty of responding to it appropriately:

- To protect the public and the institutions of the Republic against terrorist threats;
- To make the current civil protection and national security arrangements fully operational;
- To strengthen the protection of strategic economic, industrial and institutional facilities in the national territory, particularly those in the capital, which are vulnerable and high-profile targets for terrorist attacks (the international autonomous port of Djibouti, Djibouti international airport, Djibouti radio and television, oil installations, the Djibouti Central Bank, the National Treasury, the Djibouti Electricity Company, the National Water Company of Djibouti, the Gabode civilian prison and international diplomatic institutions and missions);
- To conduct a campaign to raise the awareness of the authorities in charge of locations that are categorized as strategic and at risk so as to make them more responsive and elicit greater collaboration on their part;

- To ensure the availability of rapid and effective means of reaction to deal with terrorist acts;
- To define the framework of international cooperation, particularly with respect to the exchange of information and cooperation between different police services.

2.2 Longer-term objectives

- To establish a National Security Monitoring Agency incorporating on a permanent basis all features necessary for counter-terrorism and capable of coordinating the various mechanisms established for that purpose;
- To remove all threat of terrorism in the national territory so as to ensure the safety of the population and public order and to enhance the future reputation of the Republic of Djibouti, which is known in the region, above all, for its stability and tranquillity.

3. Measures

3.1 Preventive counter-terrorism measures

Counter-terrorism necessitates the adoption of a number of preventive measures.

3.1.1 Need for an effective information system

- To provide information and data on a continuing basis to the governmental authorities in order to detect and prevent any terrorist threat;
- To exchange items of information in real time among services in order to be able to analyse the various threats jointly and in a coordinated manner;
- To exercise more effective control over the communication and information networks;
- To create a central data file on the identity, origin and activities of individuals to be kept under surveillance (Interpol).

3.1.2 Improving the effectiveness of the investigation services

- To adopt a provision to allow greater freedom to the security services in conducting searches;
- To strengthen the resources of the technical and scientific police laboratory;
- To encourage collaboration between the various actors involved in security and counter-terrorism in order to enhance their effectiveness.

3.1.3 Monitoring access to vulnerable locations

- To monitor passengers entering the embarkation areas of airports and seaports;
- To make use of precautionary means of controlling access (frames, metal detectors, and other means of detection);

- To involve private security officers, subject to their being given special training, in control duties;

- To provide rapid means of communication to call for further assistance in the event of any serious threat to public safety.

3.1.4 Establishing the legal framework for public inquiries

- To ensure that persons directly involved with security arrangements are of good character, particularly at the time of their recruitment;

- To regulate more effectively the utilization of equipment or substances of a dangerous nature, particularly the carrying of weapons;

- To establish procedures for the taking of decisions to authorize access to vulnerable protected areas such as airports, seaports and oil installations.

3.1.5 Setting up a National Security Monitoring Agency

This body, comprising specialists in public safety and finance, will:

- Prevent, detect and characterize terrorist activities;

- Formulate recommendations to the National Counter-Terrorism Committee, either as a preventive measure or on request.

As decisions on actions to be taken are the responsibility of the National Counter-Terrorism Committee, the National Security Monitoring Agency will remain a body for the analysis and management of terrorist threats on behalf of the Committee, but will in no case be a decision-making body.

3.2 Law enforcement measures

Creating a counter-terrorism section for prevention and law enforcement in order:

- To ensure good coordination between the information services and the criminal investigation police services;

- To facilitate exchanges of information between services responsible for counter-terrorism investigations, for taking measures against terrorist networks or groups and for the surveillance of individuals deemed to be dangerous.

Preparing a draft counter-terrorism act and drafting decrees for the implementation of the act defining the fields of competence of the various actors involved in counter-terrorism (including access to and exploitation of information gathered).

3.3 National and international cooperation measures

Administrative cooperation: exchanges of information of a general nature (participation in international organizations in order to gain familiarity with counter-terrorism techniques) and exchanges between counter-terrorism authorities of information specific to certain persons;

Judicial cooperation: measures to facilitate the provision of assistance to the judicial authorities of another country (including assistance with investigations,

legal proceedings, requests for information or for the seizure or confiscation of dangerous substances or for extradition).

4. Available resources

Counter-terrorism measures will rely mainly on conventional internal security procedures which will need to be supplemented and adapted to counter terrorism. The various services of the criminal investigation and administrative police will be so structured as to complement each other's traditional fields of competence.

4.1 The national police force

4.1.1 The criminal investigation police

The criminal investigation police comprises the Crime Squad, the Central Bureau for Drug Abuse Control, the Economic and Financial Investigation Brigade and the National Central Bureau for Interpol. Under the responsibility of the Prosecutor of the Republic or, in terms of the Code of Criminal Procedure under the responsibility of the General Prosecutor and the Prosecutor of the Republic, the criminal investigation police will have full authority to investigate criminal offences.

4.1.2 The police units of the district of Djibouti

4.1.2.1 The administrative police

The police stations throughout the capital provide a basic level of surveillance and alertness. They form an important supporting network for the deployment of counter-terrorism operations, thereby also helping to combat ordinary crime and monitor the circulation of light weapons.

4.1.2.2 Government services

The government services will be an important source of information to be contributed to the central database held by Interpol. In the main, these services are involved with the issuance of travel documents, with general information and civil registration documents.

4.1.3 The frontier and immigration police

This police force is an important link in the arrangements for prevention and suppression since it provides a means of monitoring and controlling the movement of people travelling from and to the most important destinations (Ethiopia, Somalia, and so forth). The frontier and immigration police comprises the airport detachment, the port detachment and the land frontier detachment: Loyada, Galileh, Galafi.

4.2 The armed forces of Djibouti

The worst-case scenarios drawn up by the Security Subcommittee have shown that port and airport facilities remain particularly vulnerable to terrorist attack. For this reason, the naval and air force commando sections of the Djibouti armed forces will be mobilized to supplement the counter-terrorism measures. These two

appropriately equipped units have the task of strengthening the protection of the territory and covering the territorial waters and airspace.

4.3 The National Gendarmerie

Surveillance of the main locations concerned is above all the responsibility of the National Gendarmerie which comprises a multi-purpose intervention unit, a maritime branch and an air transport branch.

5. Requirements in terms of human resources and equipment

Human resources, together with their remuneration and their equipment, will be provided by the Government of Djibouti. Use will be made of technical assistance and international cooperation to train the various teams mobilized and established on the initiative of the National Counter-Terrorism Committee.

Part IV: Combating money-laundering[1] and the financing of terrorism

1. Introduction

Using the preventive and repressive measures at its disposal, the financial sector should combine forces to detect and eliminate fraudulent sources of financing that fuel terrorist operations.

Djibouti's financial market has thus far been spared, but it could one day be used as a transit point for suspect funds. Djibouti must thus evolve an effective system for preventing and combating the phenomenon.

The financial sector component of the action plan will incorporate three major stages. Initially, it will be a question of adopting provisions for the establishment of a powerful mechanism for monitoring terrorist activities in economic sectors; subsequently, of setting up bodies entrusted with conducting such work; and, finally, of ascertaining available resources and those funds which will need to be sought through bilateral and multilateral cooperation mechanisms.

Concerning banking institutions, it will be a matter of strengthening existing legal provisions to enhance prevention of the transactions in question and of establishing an oversight and financial intelligence mechanism. This body will collect reports and evidence of suspect transactions from bankers and other financial intermediaries.

With regard to non-banking institutions, including those in the informal sector, priority must be accorded to on-site checks and to the elaboration of regulations that make it obligatory to provide statistics and incorporate sanctions for non-compliance. Since payment methods are poorly developed in the region, commercial transactions usually occur in cash. In tandem with international

[1] Money-laundering, according to the definition adopted by Interpol, designates any act or attempted act designed to conceal or disguise the identity of illegally obtained proceeds so that they appear to have originated from legitimate sources.

cooperation, there is thus also a need for closer links with our main trade partners to be able to organize work in this field.

2. Objectives

2.1 Immediate objectives

In order to effectively combat money-laundering and the financing of terrorism, a number of legal and regulatory instruments are required, involving:

- Adoption of an anti-money-laundering act establishing a precise definition of money-laundering and detailing professions affected by the phenomenon. In addition to a sanctions component, the act would also include a preventive component involving banking and non-banking financial institutions in efforts to combat suspect transactions and terrorism financing;
- Elaboration of regulations which would require persons in the financial professions to report to their parent authority all suspect transactions or unusual activities on the part of their clients. The same regulations would also protect cooperating financial institutions (their directors and employers) from all criminal or civil liability for violating rules of confidentiality;
- Preparations for holding information and awareness-raising symposia on money-laundering and terrorism financing for the benefit of the authorities and the private sector;
- Strengthening the scrutiny and monitoring system already in place, including strict enforcement of prudential regulations for financial institutions, and on-site scrutiny of individual fund transfer activities (foreign-exchange brokers, "hawala");
- Establishment of a central database of bank accounts containing originator information: family name, first name and date and place of birth of the account holder, account type and the date on which the account was opened;
- Establishment of a financial investigations office within the Djibouti Central Bank. This unit would constitute the focal point at the national level for information exchange on efforts to combat money-laundering and terrorism financing;
- Carrying out the special recommendations of the Financial Action Task Force on Money Laundering (FATF) in order to consolidate the reputation of Djibouti's financial market.

2.2 Longer-term objectives

- To set up comprehensive mechanisms for combating money-laundering and terrorism financing, including broadening the scope of the anti-money-laundering act to include all sectors of the economy;
- To strengthen international cooperation to facilitate the tracing of suspect capital flows.

3. Measures

3.1 Measures for involving the financial system in efforts to combat money-laundering and terrorism financing

The financial professions most at risk of being used for money-laundering and terrorism financing are:

- Banks;
- Financial corporations (finance companies, fund transfer companies);
- Non-automated exchange offices;
- Investment firms (brokerage firms);
- Insurance companies and brokers.

The following professions should also not be overlooked, either because they habitually carry out sizeable cash transactions or because they conduct non-financial transactions liable to be used by criminals for money-laundering and the financing of terrorism:

- Casinos;
- House market professionals (estate agents, lawyers);
- Solicitors, legal advisers;
- Chartered accountants and financial advisers.

Professions that may be used for money-laundering and terrorism financing should be subjected to preventive measures and scrutiny requirements.

3.1.1 Preventive measures for combating money-laundering and terrorism financing

- There is a need for legislation and regulations applicable to financial institutions and entities conducting or advising on financial transactions, as well as a system for monitoring compliance by the latter with existing regulations, with possible recourse to sanctions;
- There is also a need to make certain financial transactions (bank transactions, investment or insurance services, etc.) dependent on approval by higher authorities.

3.1.2 Scrutiny requirements for professions that may be used for money-laundering and terrorism financing

- There should be an obligation to identify a client at the outset of a business relationship that involves the opening of any account or a request for services, including the renting of safe deposit boxes, and occasional clients for sums above a certain amount, and to conduct identity checks (with separate procedures for checking the identity of juridical and physical persons);
- Notification of suspect transactions or sums should be made compulsory; anti-money-laundering officials should be made responsible for drawing up and transmitting notifications of suspicion; failure to transmit a notification of suspicion should be made punishable; an establishment that has submitted a

notification of suspicion should be protected from legal proceedings; the parameters for making notification of suspicion obligatory should be determined; and informing a client of such notification should be prohibited;

- There should be special scrutiny of the following transactions and the results should be recorded in written form: transactions that are complex, unusual, unexplained, or involve large sums of money should generate a written statement of the details of the transaction and the creation of a database at the disposal of the financial investigations office and oversight authority. This database should, in particular, contain information on the transaction originator, the transaction beneficiary and the source and destination of the funds;

- The following internal scrutiny measures should be made compulsory: definition of procedures for applying scrutiny rules; staff training; preservation of all information to ensure that it is traceable; and persons responsible for implementing preventive measures to combat money-laundering and terrorism financing should establish internal procedures tailored to the specificities of their particular activity in order to meet the scrutiny requirements in this field.

3.1.3 Measures for implementation by authorities responsible for combating money-laundering and terrorism financing

- Establishment of a financial investigations office entrusted with receiving notifications of suspect transactions;

- Definition of the field of scrutiny, including domestic and offshore activities;

- Investigation capacity: lifting bank confidentiality vis-à-vis the administrative oversight authority and in-house access to information necessary for accomplishing its mandate (access to personal account details);

- Power to sanction: capacity to punish failure to comply with scrutiny requirements by those responsible and determine the nature of the punishment (penal, administrative);

- Means of oversight: adequate human resources for ensuring oversight of individual transactions (ongoing monitoring) and on-site supervision.

3.2 Cooperation measures

- Cooperation between national authorities for combating money-laundering and terrorism financing: good coordination and exchange of information between authorities responsible for conducting anti-terrorist investigations, suppressing money-laundering and monitoring financial and non-financial corporations;

- International cooperation:

  • Administrative cooperation: exchange of information of a general nature (participation in the work of international organizations to acquire techniques for combating money-laundering and terrorism financing) and exchange of information on specific operations or persons between anti-money-laundering and counter-terrorism authorities (lifting of the professional confidentiality of each national authority vis-à-vis its foreign counterparts);

- Legal cooperation: measures for rendering assistance to the judicial authorities of another country (assistance in respect of investigations, prosecution, information requests, seizure or confiscation of money-laundering proceeds, extradition, inter alia).

3.3 Other measures

- Establishment of oversight for physical imports or exports of cash (compulsory declaration when carrying sums over a certain amount);
- Reform of company law to prevent the illegal use of bodies with unknown owners or beneficiaries (front companies) by the originators of money-laundering transactions.

4. Available resources

The Djibouti Central Bank has a banking surveillance unit which monitors compliance with existing prudential regulations that are for the most part based on regulations adopted by the main international financial institutions.

On the basis of statements and periodic reports forwarded to it by banking and financial institutions, the Djibouti Central Bank endeavours to analyse potential vulnerabilities of institutions in Djibouti.

5. Requirements

With a view to strengthening its banking oversight capacity, the Central Bank is envisaging a supplementary training programme for its staff. To attain its objective of performing annual checks on all banks from 2002, the Bank will require technical assistance from international experts in the area of prudential regulations and financial assistance from donors to support its training programme.

With a view to combating money-laundering and terrorism financing, the Central Bank intends to establish a central database for reporting all cash transactions above a certain amount and will need financial assistance for that purpose (acquisition of software, training, etc.)

With the cooperation of international institutions, Djibouti's monetary authorities intend to establish an awareness-raising and training programme (seminars, symposia) for the benefit of directors and staff of financial and non-financial institutions (currency exchange offices, "hawala", etc.) in order to strengthen efforts to combat money-laundering.

Part V: Communication strategy

1. Introduction

Following the establishment of the National Counter-Terrorism Committee and in accordance with United Nations Security Council resolution 1373 (2001), a decision was taken to draw up a communication strategy for promoting the

Government's efforts. The establishment of a web site is a key component of the strategy.

2. Overview

This active web site would provide all information and documents concerning the National Counter-Terrorism Committee's activities.

2.1. Objectives

- To make information on counter-terrorism measures implemented by the Republic of Djibouti available to all persons and organizations concerned through new information technologies. All information will thus be made available through the web site, which will become the focal point and "information gateway";
- To conduct advocacy for the country's efforts in this field among third countries engaged in similar efforts as part of the international counter-terrorism coalition;
- Establish and consolidate cooperation links and exchanges of information with other committees.

2.2 Location of the project

The web site will be entirely designed in Djibouti using local expertise.

2.3 Responsibility

Once established, the site will be entirely managed by the National Counter-Terrorism Committee, which will therefore be solely responsible for the information published on the site.

3. Hosting

The site may be hosted by the Djibouti-Telecom server, which has proved to be satisfactory with regard to capacity and reliability.

4. Reach

The establishment of the web site will make the Committee a reliable and accessible "on-line" partner. The site will be included in the various counter-terrorism directories, and the Committee will accordingly be able to work in tandem with corresponding committees in other countries.

General conclusion

This study has made it possible to conduct an appraisal of the counter-terrorism tools at Djibouti's disposal and to highlight the country's requirements.

The action plan that it advocates is an important precondition for thematic and investigative work in the area of counter-terrorism. With a view to enhancing its scope, the plan will be refined and finalized in the context of technical workshops, with all concerned actors invited to participate.

To ensure that the National Counter-Terrorism Committee's efforts have a long-term impact, it must have a permanent secretariat responsible, inter alia, for the organization and coordination of the Committee's work.

The tools and measures described in this report are not immutable, but will by nature evolve with time. They will need to be strengthened and refined to respond to developments in the field of terrorism.

Vigilance and cooperation with the international community will permit the country to respond effectively to the problems caused by terrorism. This is a crucial element in the national response to terrorism, since, despite the efforts that it has undertaken, the Republic of Djibouti remains heavily dependent on foreign technical assistance.

The Republic of Djibouti, which is very committed to fundamental freedoms, wishes to strongly emphasize that the use of force is the monopoly of a sovereign State.

True to its traditional culture of peace and friendship, Djibouti is also keen to ensure that the National Counter-Terrorism Committee operates within the international counter-terrorism coalition. Indeed, the protection and promotion of peace in the region is an area in which Djibouti has always excelled.

Annex

Summary table of international conventions relating to the fight against terrorism

	Titles of the conventions	*Signature by Djibouti*	*Ratification by Djibouti*	*Entry into force*
1	Convention on Offences and Certain Other Acts, Committed on Board Aircraft, signed at Tokyo on 14/09/63	10/06/92	08/09/92	04/11/63
2	Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16/12/70		24/11/92	14/10/71
3	Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23/09/71		24/11/92	26/01/73
4	Protocol on the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, signed at Montreal on 24/02/88	No	No	06/08/89
5	Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14/12/73	Yes	No	20/02/77
6	International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17/12/79	No	No	03/06/83
7	Convention on the Physical Protection of Nuclear Material, signed at New York and Vienna on 03/03/80	No	No	08/02/87
8	Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10/03/88	No	No	
9	Protocol to the previous Convention on the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on 10/03/88	Yes	No	06/08/89

	Titles of the conventions	*Signature by Djibouti*	*Ratification by Djibouti*	*Entry into force*
10	Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed at Montreal on 01/03/91	Yes	No	21/06/98
11	International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15/12/97	No	No	23/05/01
12	International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9/12/99	15/11/01	No	Not yet
13	Arab Convention on the Suppression of Terrorism, signed at a meeting held at the General Secretariat of the League of Arab States in Cairo on 22/04/98	22/04/98	21/10/01	21/11/01
14	OAU Convention on the Prevention and Combating of Terrorism, adopted at Algiers on 14/07/99	No	No	
15	Vienna Convention on the Law of Treaties of 23 May 1969	No	No	

République de Djibouti
Unité - Égalité - Paix

Ministre des affaires étrangères
et de la coopération internationale
chargé des relations avec le Parlement

Le Ministre

No 785/FX/2001/MAECI
Djibouti, le 24 décembre 2001

Monsieur le Président du Comité du Conseil
de sécurité chargé de la lutte antiterroriste

Monsieur le Président,

Conformément à la résolution 1373 (2001) du Conseil de sécurité dans laquelle les États membres sont invités à produire un rapport en matière de lutte antiterroriste, j'ai l'honneur de vous transmettre les mesures prises par la République de Djibouti.

Le 12 septembre 2001, le Président de la République a condamné vigoureusement et catégoriquement les attentats terroristes et a exprimé sa solidarité avec le Gouvernement et le peuple des États-Unis d'Amérique.

Il a également institué, par décret No 2001-0193/PRE (ci-joint en annexe) du 3 octobre 2001, le Comité national de lutte contre le terrorisme, composé du :

- Ministre de la justice, des affaires pénitentiaires et musulmanes, chargé des droits de l'homme;
- Ministre des affaires étrangères et de la coopération internationale, chargé des relations avec le Parlement;
- Ministre de l'intérieur et de la décentralisation;
- Ministre de l'économie et des finances, chargé de la privatisation;
- Gouverneur de la Banque centrale de Djibouti;
- Chef de la sécurité nationale et Chef de cabinet militaire du Président de la République;
- Chef d'état-major général des armées.

Ce comité a élaboré un rapport contenant les mesures spécifiques dans les domaines suivants :

- Législation pénale;
- Échange d'informations;
- Sécurité des personnes et des biens;
- Adoption de mesures contre le financement du terrorisme.

Le Comité a décidé entre autres, de mettre en place un observatoire de la sécurité nationale chargé d'analyser et de gérer les menaces terroristes, de former un groupe de magistrats et d'officiers de police judiciaire en vue de prévenir et réprimer les actes terroristes.

Enfin, les membres du Comité ont convenu de créer un Bureau des enquêtes financières (BEFI) pour combattre la délinquance financière en lien avec les organisations criminelles.

Consciente de ses atouts géostratégiques exceptionnels, la République de Djibouti est déterminée à apporter son entière contribution à la mobilisation internationale contre le terrorisme.

En harmonie avec ses engagements internationaux, le Secrétariat permanent du Comité vous tiendra régulièrement informé de l'avancement des mesures entreprises en matière de lutte contre le terrorisme.

(*Signé*) Ali Abdi **Farah**

République de Djibouti
Unité - Égalité - Paix

Présidence de la République

Décret No 2001-0193/PRE
portant création d'un Comité national
de lutte contre le terrorisme

Le Président de la République
Chef du Gouvernement

Vu la Constitution du 15 septembre 1992;

Vu la loi No 59/AN/94 du 5 janvier 1995 portant Code pénal;

Vu le décret No 2001-0053/PRE du 4 mars 2001 portant nomination du Premier Ministre;

Vu le décret No 2001-0137/PRE du 4 juillet 2001 portant nomination des membres du Gouvernement;

Vu le décret No 2001/156/PRE du 11 juillet 2001 portant attribution des fonctions des ministères;

Vu la résolution 1373 du 28 septembre 2001 du Conseil de sécurité des Nations Unies.

Décrète

Article 1. Il est créé un Comité national de lutte contre le terrorisme composé de :

M. Ismail Ibrahim Houmed, Ministre de la justice, des affaires pénitentiaires et musulmanes, chargé des droit de l'homme	Président
M. Ali Abdi Farah, Ministre des affaires étrangères et de la coopération internationale, chargé des relations avec le Parlement	Membre
M. Abdoulkader Doualeli Waiss, Ministre de l'intérieur et de la décentralisation	Membre
M. Yacin Elmi Bouh, Ministre de l'économie et des finances, chargé de la privatisation	Membre
M. Djama Haid, Gouverneur de la Banque centrale de Djibouti	Membre
M. Hassan Said Khaireh, Chef de la sécurité nationale et Chef de cabinet militaire du Président de la République	Membre
M. Fathi Ahmed Houssein, Chef d'état-major général des armées	Membre

Article 2. Le Comité national est chargé de mettre en oeuvre les mesures nécessaires à la lutte contre le terrorisme sur le territoire de la République de Djibouti et contre le terrorisme international.

Article 3. Le Comité est tenu de réfléchir sur la conception et la mise en place des mécanismes internes de lutte contre le terrorisme conformément à la résolution 1373 du 28 septembre 2001 du Conseil de sécurité des Nations Unies.

Article 4. Le Comité dispose toute l'autorité nécessaire pour décider et prendre les mesures et actions appropriées pour prévenir et réprimer tous actes terroristes.

Article 5. Le Comité est tenu au respect des engagements internationaux et à l'adhésion des conventions et protocoles internationaux relatifs au terrorisme.

Article 6. Le Comité doit établir un rapport sur la situation et devra informer régulièrement le Président de la République et le Premier Ministre sur l'état d'avancement des travaux, des actions prises et des résultats atteints.

Article 7. Le présent décret sera enregistré et publié au journal officiel de la République de Djibouti.

Djibouti, le 3 octobre 2001

Le Président de la République,
Chef du Gouvernement
(*Signé*) Ismaïl Omar **Guelleh**